

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

January 18, 2008

Charles R. Fulbruge III
Clerk

No. 07-10735
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ROBERTO ALANIZ

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:06-CR-21-ALL

Before HIGGINBOTHAM, STEWART, and OWEN, Circuit Judges.

PER CURIAM:*

Roberto Alaniz appeals the 33-month sentence he received following his guilty-plea conviction for being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g). He argues that the sentence imposed is unreasonable. Specifically, Alaniz contends that the district court failed to give adequate consideration to mitigating factors, failed to articulate adequate reasons under

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

18 U.S.C. § 3553(a) for the sentence imposed, and treated the guidelines as mandatory.

Because the sentence Alaniz received fell within the correctly calculated guidelines range, it is presumptively reasonable. *United States v. Alonzo*, 435 F.3d 551, 554 (5th Cir. 2006). The district court's proper consideration of the § 3553(a) factors is inferred. See *United States v. Mares*, 402 F.3d 511, 519 (5th Cir. 2005), cert. denied, 546 U.S. 828 (2005). Alaniz has not overcome the presumption of correctness attached to his sentence.

The district court's judgment is affirmed. The Government's motion for summary affirmance or, alternatively, for an extension of time to file an appellate brief is denied.

AFFIRMED; MOTION DENIED.